

ON 7.
Mr. TREMLETT'S
LETTER
TO
Archdeacon SLEECH.



BY
JOHN ANDREW, M. D.

E X E T E R :

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ON

Mr. TREATT'S

LETTER

TO

Archibald STEVENSON

BY

JOHN WADSWORTH, M.D.

NEW YORK

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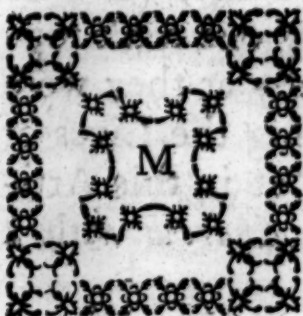


REMARKS

ON

Mr. *Tremlett's* LETTER

To Archdeacon *S L E E C H*.



R. Tremlett having published many notorious Falshoods, and, in his Letter to Archdeacon *Sleech*, affirmed, "that
" Dr. *Andrew* did INVENT
" a Set of Articles which
" were in Number Nine,
" Eight of which were false, and injurious
" to the Value of the Estate more than one-
" third Part of the whole," Dr. *Andrew* thinks himself obliged to publish the following Answer.

If Dr. *Andrew* INVENTED a Set, that Set did not exist before, and consequently the whole is mere Fiction: But Mr. *Tremlett* himself allows, that there were such Articles

as those delivered to Mr. *Chapple*, and therefore they could not be *invented* by Dr. *Andrew*.—But why does he say the Doctor only *invented* NINE, when in the Paper delivered to *Chapple* are contained ELEVEN?

These *Eleven* Articles shall be strictly examined, and then the World will judge whether Mr. *Tremlett* has acted a Part becoming an honest Man, and an impartial Referee.

I. The Land let for 50*l.* a Year.—This is exactly right.

II. The House and Gardens were said to be let for 11*l.* instead of 13*l.* * But as Mr. *Pitfield* never told Dr. *Andrew* that they were let for 13*l.* and as they had been let for 10*l.* and had been vacant Two Years, (as Mr. *Pitfield* told Dr. *Andrew*) every one must suppose 11*l.* a full Value, especially as they were to be rented at that Price during the Lives of Mr. *Pitfield* and his Sister.—Yet in this Article Mr. *Tremlett* charges Dr. *Andrew* with a Fraud of 5*l.* 13*s.* 1*d.*

III. The Land-Tax is exactly right at 5*l.* 14*s.* 4*d.* as appears not only by a Receipt given to Dr. *Andrew* by Mr. *Pitfield* himself, but by the second Instructions which were dictated by him: † So that Mr. *Tremlett* designedly

* For the Rent of the House and Gardens, see *Chapple's* Book, P. 26 and 27.

† Dr. *Andrew* told Mr. *Pitfield*, that if the Land-Tax should be reduced to 3*s.* or 2*s.* in the

designedly misrepresented the Truth by saying, that Dr. *Andrew* committed a Fraud of 1 *l.* 8 *s.* 1 *d.* in this Article.

IV. The Poor Rate 5 *l.* This Mr. *Tremlett* says should have been only 3 *l.* 10 *s.* which is very extraordinary indeed, as Mr. *Tremlett* knows that Mr. *Pitfield* himself sets down the Poor Rate at 4 *l.* ‡ but many other Articles are included in this general Article: This Estate consists of two Tenements, each of which is liable to take an Apprentice, and the Proprietor of the Estate is obliged to pay for all the Parish Offices for each Tenement. It was made appear to Mr. *Tremlett*, at the Reference, that no one would take an Apprentice for so little as 4 *l.* 10 *s.* and that for executing the Office of Poor Warden must be paid 2 *l.* 15 *s.* or 3 *l.* and for the Reeve and Church-Warden 2 *l.* 12 *s.* 6 *d.* § To these Sums, when doubled, if 4 or 5 *s.* be added, which must be paid yearly on Account of the Way-Rate, as was proved at the Reference, no Man of the least Understanding (except Mr. *Tremlett*) can believe, that this Article is not in Mr. *Pitfield's* Favour.

V. Church and Constable's Rate 1 *l.* This is exactly right, as appears by Mr. *Pitfield's* second

Pound, the Annuity should be increased in the same Proportion.

‡ For which see Mr. *Shapleigh's* Pamph. P. 13.

§ See the same Pamphlet, P. 36.

second Instructions, which, Mr. *Tremlett* says, “* were proved to be dictated by him.” But Mr. *Tremlett* leaves out the Constables Rate entirely, and sets down the Church Rate at 12s. so that he omits almost one half of what was dictated by Mr. *Pitfield* himself, and then affirms, that Dr. *Andrew* committed a Fraud of 8s. What is not he capable of proving, if such Misrepresentation is to pass for Proof?

VI. The Tythes 5*l.* 5*s.* In this is acknowledged a Mistake of 5*s.*

VII. The Repairs 6*l.* This Mr. *Tremlett* reduces to 4*l.* 10*s.* tho’ he knows at the Reference it was proved, that the Expence in Thatching alone could not amount to less than 5*l.* a Year, and the Repairs of the Apple-Pound must cost more than 20*s.* To these Sums, if Mr. *Tremlett* will add the Work done by the Mason, Carpenter, Pavimour, Glazier, Smith, Pump-maker, and Gardener, † most of which are mentioned by him as Articles of Expence, he will be convinced that the Houses, Walls, &c. can scarce be repaired for 8 or 9*l.* a Year: ‡ And so it was

* For this see P. 11 and 33 of Mr. *Shapleigh’s* Pamphlet, and P. 25 of Mr. *Tremlett’s* State.

† Mr. *Pitfield* told Dr. *Andrew*, that he had paid his Gardener at one Time, for Work done in his Garden at *Alphington*, 10*l.*

‡ See P. 37 and 41 of Mr. *Shapleigh’s* Pamphlet, and P. 28 of Mr. *Tremlett’s* State.

was proved, as Mr. *Tremlett* well knows, at the Reference.

VIII. The Conventiary Rent 2*l.* 15*s.* This Article Mr. *Tremlett* says ought to have been 2*l.* 7*s.* 5*d.* $\frac{1}{2}$. but this Mistake ought not to be censured, as Mr. *Pitfield* gave Dr. *Andrew* no Information of the Sum paid for it.

IX. The Insurance Money 1*l.* In this Mr. *Tremlett* charges a Fraud of 5*s.* Dr. *Andrew* denies it, as he should insist upon insuring the Houses, Barn, Stable, &c. in 400*l.* at least; for it is well known that they could not be rebuilt for so little as 7 or 800*l.*

Thus having dispatched Mr. *Tremlett*'s Nine Articles, come we now to the Two Articles which are omitted by him.

X. The Herriot, or Best Beast, 5*l.* This Article is exactly agreeable to Mr. *Pitfield*'s Information.—But it appears, that instead of one Best Beast, there must be two, and there may be four; so that instead of 5*l.* Dr. *Andrew* might be obliged to pay to the Value of 50*l.* or perhaps 60*l.* as no one can doubt but the Best Beast would be taken instead of the 5*l.*—This Article Mr. *Pitfield* plainly represented to the Prejudice of Dr. *Andrew*.

XI. You know, Mr. *Tremlett*, it is impossible for any one to compute the real Value of an Estate held by Lives, without knowing the Ages of the Lives; and Dr. *Andrew* being determined to let Mr. *Pitfield* have the full Value

Value for his Estate, set down him of the Age of 51, and his Sister of the Age of 52, tho' they were near 5 Years older.

These two Articles are alone sufficient to convince any Person, that Dr. *Andrew* had no Intention of cheating Mr. *Pitfield*; and for that Reason Mr. *Tremlett* omits them. Such is his Impartiality!

By the above true Representation it is demonstrated, that the Paper given to *Chapple* for the Calculation, instead of containing *nine* Articles, as Mr. *Tremlett* asserts, really contained *eleven*; that instead of being *all*, there is *not one*, INVENTED; and instead of being *all false*, except *one*, Four of them, *viz.* the Rent of the Land, the Land-Tax, the Church and Constable's Rate, and the Herriot, are exactly agreeable to Mr. *Pitfield's* own Instructions.

Three of the others, *viz.* the Repairs, the Poor-Rate, and the Ages of the Lives, are manifestly in Mr. *Pitfield's* Favour; and every candid Person must judge the same of the Rent of the House and Gardens.

Of the three last, *viz.* the Tythes, the Conventiary Rent, and the Insurance, Dr. *Andrew* can truly be said only to have *mistaken* the former by setting down 5 Guineas instead of 5 *l.* for as he had no Information in regard to the other two Articles, it cannot be said that he mistook them, or designedly misrepresented them. — But supposing the worst, the

the Mistakes in all the Three amount only to 17s. 5d. $\frac{1}{2}$. and surely Dr. *Andrew's* setting down for the Best Beast only 5l. instead of 50 or 60l. which he might be obliged to pay, and the Lives near five Years younger than they really were, is more than a Ballance for 17s. 5d. $\frac{1}{2}$.

Dr. *Andrew* is so thoroughly convinced of the Rectitude of his Representation, and the Partiality of Mr. *Tremlett's*, that he is willing to submit the Determination of this Point to any Counsel at Law, to be named by Mr. *Tremlett*, or to any Three of the Gentlemen mentioned by him, * as proper Persons to be Umpires.——Mr. *Pitfield* himself is so well convinced of the Truth of the above, that, tho' most of the Facts have been mentioned already by Dr. *Andrew*, instead of attempting any Reply, he only says in his Remarks, "I do not enter into the Difference which subsists merely between Dr. *Andrew* and me," which proves, that he has nothing to say in his own Vindication.

Dr. *Andrew's* Account of the above Articles, being so different from Mr. *Tremlett's*, it may be asked, from whence Mr. *Tremlett* had *his*? This Question he answers himself, by saying, "I shall set down the real Articles, as they are in the Steward's † Books."

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This

* P. 34 of his State of the Dispute.

† P. 63 of his Letter to Mr. *Sleech*.

This I believe he has not done: * But suppose the Account could be found there, would any one be guided by it in the Purchase of an Estate? Would any one, except Mr. *Tremlett*, dare to insinuate, that the Steward must know the real Income and Outgoings of any Estate better than the Owner himself? The Absurdity of appealing to the Steward's Books, shall be demonstrated by the following Instance.—When Dr. *Andrew* bought Mr. *Scott's* Estate in *Alphington*, Mr. *Scott* told him, the whole Estate was let for 27*l.* 15*s.* a Year, and the Outgoings amounted to 9*l.* 14*s.* But Mr. *Chapple* told Dr. *Andrew*, in a Letter, “ that “ by an Entry in their Books it appeared, that “ the Rent was 35*l.* and the Outgoings “ 7*l.* 13*s.*” So that Mr. *Scott* makes the clear Income to be only 18*l.* 1*s.* But Mr. *Chapple*, from his Books, makes it to be 27*l.* 7*s.* which is above One-Third more than the Owner received from it.—Notwithstanding this Misrepresentation from the Steward's Books, I dare say, Mr. *Tremlett* does not believe, that Mr. *Chapple* intended to cheat Dr. *Andrew*.

Now, Mr. *Tremlett*, give me Leave to ask you, if you had been about to purchase Mr. *Scott's* Estate, would you have believed Mr. *Scott's*

* This is probable by *Chapple's* refusing to shew his Books, when applied to for that Purpose in the Name of Dr. *Andrew*.

Scott's or *Mr. Chapple's* Account to be most just?

This is enough to prove the Impropriety of appealing to the Steward's Books, in order to ascertain the clear Income of an Estate; and *Mr. Tremlett* fees plainly the Fallacy of his own Proof; but it was necessary for him to say something in Support of the above Charge, and being certain he could say nothing with Truth, he has Recourse to Falshood.

I will next shew, that this Steward's Calculation, which has made so much Mischief, is as inaccurate as his Books, for in one Part of it he computed the clear Annuity of the above two Lives at $14 \frac{1}{2}$ Years Purchase, in another Part at $10 \frac{3}{4}$, * and in another he says, "he computed it at $13 \frac{1}{2}$ Years Value."† This is the Calculation that *Mr. Tremlett*, in his Defence of this Steward, says, was found to be just and accurate.

This being enough in regard to the Accuracy of the Steward's Books, and his Skill in Calculation, I will add a Word or two concerning his Veracity; and sorry am I to be obliged to call it in Question, since, in his last Publication, he has confessed the Truth in one very material Point, and thereby confuted one of *Mr. Tremlett's* principal Facts; but he is so unhappy as to mix Falshood with Truth, still endeavouring to prove, that he

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did

* See *Chapple's* Book, P. 29. † *Ib.* P. 71.

did not know that he was appointed as an Arbitrator to settle the Annuity. This he has frequently repeated, tho' it is absolutely immaterial; for, surely, his Calculation ought to have been just, whether he was applied to as an Arbitrator, or not; but if the following Expression of Mr. *Pitfield* to Mr. *Wright*, is true, viz. "Repeat this to Dr. *Andrew*, that " Mr. *Chapple* said, Mr. *Pitfield* would take " for the Estate whatever he would put " down," then Mr. *Chapple* did know that he was applied to as an Arbitrator; and this must be supposed to be true, because it was mentioned so long since as *July 3, 1761*, and has never been contradicted by Mr. *Pitfield*.

Another Proof of this Fact may be drawn from the Cautionary Note added by Mr. *Chapple* to this Calculation, expressing his Doubt concerning the Accuracy of it, which would have been quite absurd, if Mr. *Chapple* had not been applied to as an Arbitrator. Does he never make a Calculation without adding such a Cautionary Note?

But that Mr. *Chapple* did know he was applied to as an Arbitrator, appears very plainly from his own Book, † in which he says, " As " I considered this only as an hypothetical " Estimate, I fully intended to collect Materials for making a *correct* Valuation of " the Estate, not doubting but *such an one* " might

“ might be required, in Case the *Treaty* was
 “ continued. But hearing nothing of it for
 “ near a Month after, I had concluded that
 “ the *Treaty* was at an End, and thought
 “ little more about it.” Thus does Mr.
Chapple allow, that he knew there was a
Treaty between Mr. *Pitfield* and Dr. *Andrew*;
 and he could not imagine a *correct* Valuation
 would be wanted, unless he had been ac-
 quainted with the *Nature* of the *Treaty*; and
 if so, he must have known he was applied to
 as an Arbitrator to settle the Annuity, tho’
 he has often affirmed the contrary.

Dr. *Andrew*’s Veracity having not been
 justly impeached during this whole Contro-
 versy, Mr. *Tremlett* is very happy in being
 able (as he thinks) to prove the Doctor guil-
 ty of Falshood, and with that View has
 printed the following Note.

“ The Doctor, in P. 35 of his Short Reply,
 speaking of this same Book, [meaning *Searle*
 the *Thatcher*’s Book] says, “ which Mr. *Pit-*
 “ *field* had in his Custody some Days.” To
 which the *Thatcher* answers thus :

“ These are to certify whom it may con-
 “ cern, that the Books of Account, belong-
 “ ing to my late Father, and by him deliver’d
 “ over to me, before his Death, have always
 “ been in my Custody, or Possession, since
 “ his Decease; and were *never*, to my Know-
 “ ledge or Belief, perused or inspected by Mr.
 “ *William Pitfield*, at any Time whatsoever ;
 or

“ or were *ever* in his Custody, or Possession.
 “ Witness my Hand this 8th Day of *October*,
 “ 1762.

“ FRANCIS SEARLE.”

This, if true, would be a plain Contradiction. But attend to what follows.

Dr. *Andrew* affirms, *Searle* did tell him the Book had been in Mr. *Pitfield*'s Custody some Days, or he should not have mentioned it; for it is wholly immaterial whether Mr. *Pitfield* or his Man had had Possession of the Book some Days, or some Hours, seeing by the following Paragraph, § it is evident one or other of them must have had the Custody of it long enough to peruse it.

“ Thus the Doctor having gone through
 “ his Evidence, Mr. *Pitfield* was asked, if he
 “ had any Reply to make; which appeared
 “ to be only a Certificate under his Servant
 “ *Houghton*'s Hand, that by *Searle*'s Books it
 “ appeared, Mr. *Pitfield*'s House at *Alpington*,
 “ Outhouses, and Walls, in the Thatching
 “ ing Way, for 11 Years, cost only 24*l.* 8*s.*
 “ which, on an Average, is only 2*l.* 4*s.* 4*d.*
 “ a Year.”

Mr. *Tremlett* having quoted Dr. *Andrew*'s Short Reply, the Doctor will do the same.*

“ When I asked Mr. *Pitfield*, if in the Sum
 “ of 2*l.* 4*s.* 4*d.* was included all the Ex-
 “ pence

§ Mr. *Shapleigh*'s Pamphlet, P. 44.

* Short Reply, P. 34.

“ pence he had been at for Reed, he assur’d
 “ me it was. I then asked him, why he
 “ had not produced the *Thatcher Searle*, his
 “ Reply was, that the Man was dying. Be-
 “ ing certain that there must be some Fallacy
 “ in this Account, I went to *Searle’s* House,
 “ and found him dying, but I talk’d with
 “ his Son, who assur’d me that Mr. *Pitfield’s*
 “ Account was false, and as a Proof of it
 “ produced his Father’s Book, by which it
 “ appears, that he charges very trifling Sums
 “ for Reed, Mr. *Shellabear* supplying the rest,
 “ as appears by a Memorandum in this very
 “ Book, under *Searle’s* Hand.”

Dr. *Andrew* mentioned the Affair of the
 Certificate to a worthy Clergyman, a parti-
 cular Friend of Mr. *Pitfield’s*, who said he
 would talk with Mr. *Pitfield* concerning it,
 and that if he could not clear it up, he should
 have a very bad Opinion of him: He told me
 afterwards, he did mention it, and that Mr.
Pitfield could not give him any satisfactory
 Answer. Since that Time he has appeared
 twice in Print, in order to justify his Proceed-
 ings, and has not taken the least Notice of
 this Fact, tho’ it has been frequently remark-
 ed as a glaring Instance of Falshood and Mis-
 representation: but at length his Champion
 has thought proper to print the above Attes-
 tation of *Francis Searle*, which in Reality is
 no Justification of Mr. *Pitfield*, and to which
 the

the following Counter-Attestation seems to be a sufficient Reply:

“ November 23, 1762.

“ We whose Names are here subscribed
 “ do affirm, that *Francis Searle* did declare
 “ in our Hearing, that he did tell Dr. *Andrew*, that his Father had said, Mr. *Pit-*
 “ *field* and his Man had had his Father's
 “ Book in their Custody, but had not carried
 “ it out of the House; and he said, that they
 “ had been looking over it so often, that he
 “ desired his Son to take it. This was done
 “ a little while before his Death. *Francis*
 “ *Searle* said, that he believed it would cost
 “ 5*l.* a Year, to keep the Houses in Repair in
 “ the Thatching Way.

“ JOHN HAYNE.

“ THOMAS SEARLE.”

By this Proceeding Mr. *Tremlett* has called the Attention of the Public to a Fact, which must for ever reflect Infamy and Disgrace on Mr. *Pitfield*'s Conduct.

How disingenuous was it in Mr. *Pitfield*, to compel his Servant to set his Hand to a Paper that Mr. *Pitfield* knew to be false? If Mr. *Tremlett* could have got *Francis Searle* to prove, that Mr. *Pitfield* paid no more than 2*l.* 4*s.* 4*d.* a Year, in the Thatching Way, during eleven Years, he would have done Service to the Cause that he espouses with such Partiality; whereas by publishing the above Attestation, he has only afresh brought to
 Light

Light a Fact which Mr. *Pitfield* ought to wish might always remain in Obscurity.

I hope all Gentlemen, who may still be so partial to Mr. *Pitfield*, as to think him worthy of some Belief, will give due Attention to the above Fact, which being so full of complicated Guilt, ought to sink him very low in their Esteem? — Why did he order his Servant to set his Name to the Paper? Why did he not sign it himself? Was it possible for *Richard Houghton* to know that Mr. *Pitfield* paid no more than 2*l.* 4*s.* 4*d.* a Year in the Thatching Way, during eleven Years? Suppose no more had been entered in *Searle's* Book, would that prove that Mr. *Pitfield* had paid nothing in the Thatching Way to any one else, or that he had paid nothing to *Searle* which had not been entered in it? If Mr. *Pitfield* is an honest Man, he will not hesitate to give his Attestation upon Oath, that the Paper signed by his Servant, contains a true Account of all the Sums paid by him in the Thatching Way during eleven Years. If he refuses to give this Testimony of his Innocence, the World must suppose he knew the Account to be false when he delivered it to the Referees.

Having sufficiently exculpated myself from the above Charge of Falshood, I will mention a Transaction of Mr. *Pitfield's*, upon which I defy all the Art and Sophistry of Mr. *Tremlett* to put any tolerable Gloss.

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Mr.

Mr. *Pitfield* came to my House about Nine at Night, with the Appearance of the greatest Complaisance, and dictated a Set of Articles, as also great Part of a Letter, which he desired me to send to Mr. *Chapple* for a new Calculation: These Articles and Letter were carefully perused, and fully approved by us; and tho' Mr. *Pitfield* prevailed upon me in them to represent the clear yearly Income to be full 8*l.* a Year * more than he said he had made of his Estate, yet he had not Patience to wait for the Sight of Mr. *Chapple's* second Calculation, but soon returned to my House, told me he had been offered 600*l.* for his Estate, by a Person of Fortune, and therefore would submit to no Calculation † to be made by *Chapple*, as he had estimated the Value only at 350*l.*

When Mr. *Pitfield* came to my House, as above, he told me Mr. *Jeffery* sent his Compliments to me, and begg'd me to let him see *Chapple's* Calculation for a Moment. On my giving it to him, he promised to return it the next Morning, ‡ but he has ever since kept it

* For Proof of this see Dr. *Andrew's* Short Reply, p. 15 and 36.

† Which greatly surpriz'd Dr. *Andrew*, especially as the Doctor told Mr. *Pitfield*, he should be at Liberty to reject it, if he thought it too low.

‡ Whoever disputes the Truth of this, may consult Mr. *Pitfield's* Affidavit, dated April 21, 1762, now on the File in the Court of King's Bench.

it, tho' frequent Application has been made for it, and he knows it is my Property.

From this flagrant Instance of Mr. *Pitfield's* Disingenuity, in not restoring the Calculation according to his Promise, it must be thought by impartial Persons, that he was sensible, I might claim the Estate on the Footing of the Calculation; tho' it is evident by the Testimony of Mr. *Y——*, † and Mr. *Chapple*, § that I never did claim the Estate for 350*l.* at which Sum Mr. *Chapple* estimated the Value of it. ——— Mr. *Pitfield*, in order to justify his own Proceedings, represented me as a Forger and Cheat, to which unjust and ignominious Abuse I patiently submitted, till I had found myself to be greatly injured in my Profession.

If Mr. *Pitfield* had been assured by his Counsel, that I could claim the Estate by Virtue of the Calculation, then all Men of Sense (except Mr. *Tremlett*) must think this Trick of Mr. *Pitfield's* little better than a Robbery; and surely if he had not thought it to have been valid, he would not have taken so much Pains to get it out of my Hands: And that Mr. *Pitfield's* Counsel thought it to be valid, appears evident from Mr. *Shapleigh's* Notes. ||

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This

† Mr. *Shapleigh's* Pamphlet, p. 25.

§ Mr. *Pitfield's* Remarks, p. 42.

|| Mr. *Shapleigh's* Pamphlet, p. 54, 55.

This Transaction of Mr. *Pitfield* proves to a Demonstration, that my Representation is *right*, for *otherwise* the Calculation would be annihilated by *Chapple's* Cautionary Note. †

Mr. *Tremlett* is called upon to reconcile this Behaviour to the Dictates of *Honour*, and *Justice*, or drop his Friend *Pitfield*, as a Man incapable of being influenced by the noblest Principles of Human Nature.

The Proofs of Mr. *Pitfield's* Iniquity, and my Innocence, being chiefly taken from Mr. *Shapleigh's* *Genuine Account of the Proceedings at the Reference*, it seems necessary to authenticate that Account; for which I appeal, 1st, to the Candour and Impartiality so conspicuous in every Part of that Work; 2dly, to the following Fact, repeatedly mentioned by Mr. *Shapleigh*, and not contradicted by Mr. *Tremlett*, viz. “ I read the whole Contents of the former Proceedings to Messrs. *Tremlett*, *Pitfield*, and *Chapple*, as well as Dr. *Andrew*, who declared they were very truly and fairly stated and represented.”—Nay, the *Truth* of this Fact is confirmed by Mr. *Tremlett* himself, * who says, “ I soon perceived Mr. *Shapleigh* not only wrote down all that was said, but copied the Papers which were produced, such as Mr. *Pitfield's* Opening, &c.” To the above Mr. *Tremlett*

† Dr. *Andrew's* Short Reply, p. 10.

* P. 29 of his State of the Dispute.

lett adds, “ that Mr. *Shapleigh* read over the
 “ whole to him, after the Reference was
 “ ended, and printed it just as he read it.” †
 Notwithstanding this clear and full Attestation to the Truth of Mr. *Shapleigh's* Genuine Account of the Proceedings, Mr. *Tremlett*, in his last Pamphlet, ‡ says, “ Mr. *Shapleigh* “ did not write one fourth Part of all that “ passed, during the three Days and half “ which the Reference lasted.” Is it not strange that this Man will always pervert the Truth?

Mr. *Tremlett* has only attempted to prove me guilty of Falshood in one insignificant Fact, and in that he has failed; but I can demonstrate his Disregard to Truth in many Instances.

Mr. *Tremlett* says, ** “ that the Sum for “ Repairs stood valued at 7 l. 6 s. 8 d. in the “ Calculation.”

Mr. *Chapple* says, †† “ they were valued “ only at 6 l. in the Calculation.”

Mr. *Tremlett* says, ‡‡ “ the House, in the “ Doctor's Instructions to *Chapple*, is said to “ be frequently untenanted.”

Mr.

† His State of the Dispute, p. 32, 33.

‡ Letter to Archdeacon *Sleech*, P. 47.

** His State of the Dispute, p. 28.

†† Calumny confuted, p. 27.

‡‡ His State of the Dispute, p. 16.

Mr. *Chapple* has published an exact Copy of these Instructions, § in which the Expression is, “ as the House *may frequently lie vacant.*”

Mr. *Tremlett* says, || “ that the Doctor, by reducing the Rent of the House and Gardens, and supposing the Vacancy of the former, had lessened the real Value of *them alone*, more than 60 *l.*”

Mr. *Chapple* says, ** “ Dr. *Andrew's* Representation lessens the Value of the House 36 *l.* 13 *s.* 4 *d.*” and in his Book, †† “ the Gardens are supposed to be *always tenanted* at the Rent of 3 *l.* 13 *s.* 4 *d.*” Nay, *Chapple* says, †† “ on account of such Vacancy,” [meaning the Vacancy of the House] “ if that Allowance was made, then the Residue of the Rent would be valued as the Land, which more than makes Amends for it.” This Mr. *Tremlett*, conformably to *his* wonted Integrity, omits.

Mr. *Tremlett* says, §§ Mr. *J*— said to Dr. *Andrew*, “ Doctor, do not attempt to take Advantage of Mistakes.”

Mr. *J*— said to the Referees, * “ He thought the Doctor expressed himself to this

§ Calumny confuted, p. 26.

|| His State of the Dispute, p. 16, 17.

** Mr. *Shapleigh's* Pamphlet, p. 26.

†† Calumny confuted, p. 27.

‡‡ Mr. *Shapleigh's* Pamphlet, p. 17.

§§ His State of the Dispute, p. 29.

* Mr. *Shapleigh's* Pamphlet, p. 24.

“ this Effect, that if Things are misunderstood,
 “ it is not too late to rectify them.”

Mr. Tremlett has frequently asserted, that Mr. J— said to the Referees, the Doctor insisted on having the Estate for 350*l*.

Mr. J— told the Referees, † “ that Dr. Andrew would have submitted to have increased the Bargain to 100*l*. or 150*l*.”— which implies that the Doctor offered 500*l*. for it. This Misrepresentation in Mr. Tremlett is the more surprising, seeing he principally claims the Honour of taking down Mr. J—’s Evidence. ‡

Soon after my delivering *Chapple’s* Calculation to Mr. *Pitfield*, and before he made any Objection to it, I desired him to fix on a Day for settling the Annuity. § Mr. Tremlett saw clearly, that this proves I could not insist on the Validity of *Chapple’s* Calculation, and therefore || he alters my Expression, by substituting *Bargain* instead of *Annuity*,* by which he would insinuate, that the Annuity had been settled before, and nothing was required but

† Mr. *Shapleigh’s* Pamphlet, p. 15.

‡ His Letter to Archdeacon *Sleech*, p. 47.

§ Mr. *Shapleigh’s* Pamphlet, p. 29.

|| His State of the Dispute, p. 23.

* Tho’ this State by Mr. Tremlett contains almost as many Falshoods, as Pages, yet Mr. *Chapple* makes it his Business to read it to the Tenants at his Lord’s Court. — With what Design let the World judge.

but to execute the Covenants. This Manner of confuting an Author (by changing his Words) was never practised by any *honest Man*, and seems to prove, that Mr. Tremlett thinks he has a Licence to *trifle* with Truth, and substitute in the Place of it, his own INIQUITOUS INVENTIONS. ||

Mr. Tremlett may plume himself upon his Reputation for Wit, as much as he pleases, but if he forfeits by it the Consciousness of being an *honest Man*, he will be for ever a Stranger to Heart-felt Joy.

Mr. Tremlett has frequently said, (or Words to that Effect) that Mr. Chapple told him that Dr. Andrew insisted on the Performance of the Calculation.——Mr. Chapple, in his last Publication,* says, he did not make Use of the Word *Calculation* but *Agreement*, which last, says he, was the Word I really used.

These Instances, with others heretofore published, are sufficient to prove how little Regard Mr. Tremlett pays to Truth, and Honour, and shew clearly how well qualified he is for being the Referee chosen, as he really was, by Mr. Pitfield, and not by Dr. Andrew, which is an Honour he has claimed. †

Mr.

|| If these Words seem harsh, consult Mr. Tremlett's State of the Dispute, p. 48 and 53.

* Mr. Pitfield's Remarks, p. 42.

† His State of the Dispute, p. 2.

Mr. *Pitfield* declared to the Referees, †
 “ that Mr. *Chapple* told him, he had not slept
 “ for several Nights, for that the Doctor had
 “ drawn him in to wrong him (*i. e.* Mr.
 “ *Pitfield*) of near 200*l.*” Mr. *Chapple* be-
 ing oftentimes asked by the Referees, if he
 had ever said Dr. *Andrew* had drawn him in
 to wrong Mr. *Pitfield*, denied *that he ever*
*said any Thing tending to such an Expression.**—
 This Fact Mr. *Tremlett* knows to be true,
 tho’ he very unjustly omits it.

Mr. *Pitfield* being thus contradicted by his
 principal Evidence, he must have the most
 amazing Confidence, not to acknowledge his
 Guilt, and

Short by the Knees, intreat for Peace.

But he feels, I doubt, *there is no Peace to the*
Wicked; and yet he seems to make some Ad-
 vances towards it by the following Expres-
 sion, † “ Was it not enough that I declared
 “ to the Archdeacon, and with the utmost
 “ Sincerity, that I never had done, and ne-
 “ ver would do the Doctor an Injury; on the
 “ contrary, that I should be glad to have an
 “ Opportunity of doing him a Kindness?
 “ And I appeal to Mr. *Courtenay* for the
 “ Truth of my having interceded for him,
 “ as soon as I was acquainted with the In-
 D tention

† Mr. *Shapleigh*’s Pamphlet, p. 13.

* Mr. *Shapleigh*’s Pamphlet, p. 20.

† Mr. *Pitfield*’s Remarks, p. 17.

“tention of discharging him from the Powderham Family, and of my having done it not once only, but repeatedly.”

On this Paragraph it seems necessary to make a few Remarks.

I do affirm, (and even Mr. *Tremlett* himself must allow the Observation to be just) That if Mr. *Pitfield* had not been conscious of having injured me by his false Reports, he would not have interceded in my Behalf. What could induce him to intercede for me, if he *really* believed that I forged Articles with a Design to cheat him of 2 or 300*l.*? This Intercession, and his Declaration that I should have the Estate for less than any other Man in the World, fully prove, that he never thought I intended to defraud him, but rather that I had behaved to him not only with Justice, but Generosity.

If Mr. *Pitfield* by his Intercession (I cannot help repeating it) *really* intended to prevent my being discharged from the Powderham Family, he must be fully convinced, that his Accusations were unjust: If he had no such Intention, then he must appear in the Light of the most contemptible Hypocrite.—But who is this Man of *Importance*, that has assumed to himself the Office of an INTERCESSOR with the POWDERHAM FAMILY? Is it not one who was supported *principally* by the Favours of *that Family* in his Days of Indigence, and who, forgetful of those Days, and of all
past

past Favours, had behaved to that very Family with the greatest Ingratitude, * when he no longer stood in Need of its Support? — But that Mr. *Pitfield* intended to do me an Injury appears plainly, 1st, by his waiting on Lady *Frances Courtenay*, Sept. 11, 1759, and representing me in a Light that, Mr. *Walker* said, was too bad to be mentioned; and 2dly, by the following Expression of Sir *William Courtenay* to me, viz. “ *Pitfield hates you, and will do you all the Injury in his Power.*” And that he had really injured me, appears by the following Declaration, † “ Now the “ Point” [meaning my Intention of cheating him] “ had before been so far proved, “ that Gentlemen of the best Sense and Character, in this Town, and Country, were “ generally convinced of its Truth.” But how were they convinced of this Truth? Only by Mr. *Pitfield*’s confident Abuse.—And is it no Injury to be represented as a Cheat to Gentlemen of the best Sense and Character, in this Town, and Country? Does Mr. *Pitfield*’s saying to Archdeacon *Sleech*, he thought Dr. *Ardrew* a good Physician, prove he never intended to injure him? Or does that insignificant Commendation make sufficient Amends for all his insolent Scurrility?—I would rather

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* This Information the Author had from the Head of the Family.

† Mr. *Pitfield*’s Remarks, p. 26.

be esteemed an honest Man, than the best Physician in the World. The Powderham Family for twenty Years employed me, but they discharged me because Mr. *Pitfield* represented me to them as a Forger, and Cheat, and I had no Opportunity, during eighteen Months, of confuting his Calumnies, neither should I have been capable of doing it at all, if he and his Witnesses had not contradicted each other, or themselves.

You see by the above, Mr. *Tremlett*, I am *serious*, and therefore hope, if you publish any Answer, you will drop the Quixotisms, and Buffoonery, which you appear to be so fond of in your Letter to Archdeacon *Sleech*. Indeed, I AM serious, I MUST be serious, when a Set of Gentlemen, who have not been supposed destitute of Veracity, and Honour, enter into a Combination to defame *me*, and injure *my Family*, without the least Cause or Provocation. Having patiently submitted to their malicious Reflections a considerable Time, and been publicly arraigned as an *Inventer of Articles with a Design to defraud*,—as a *Cheat*,—*Forger*,—*Trickster*,—a *Person that was wrong, corrupt, and wicked*,—a *dangerous, designing, and bad Man*,—if some unguarded Expressions dropt from my Pen, I hope all Men of Candour will put a favourable Construction upon them, and more especially, as
 “ the Acknowledgment of my Offence was
 “ in stronger Terms than my Antagonist had
 “ insisted

“ insisted on.” † This to Mr. *Tremlett* affords Matter for Ridicule, if not for Reproach. But let me tell you, Sir, if at any Time, through intemperate Heat, I should even *endeavour* to *defame* or *injure* any Person, I hope my Satisfaction will always exceed what is expected, or desired. Go, and do thou likewise.

I must now make my Acknowledgments to Mr. *Tremlett*, for the following Observation, which may be found in the Introduction to his State of the Dispute, viz. “ The same Judgment that condemns Mr. *Pitfield* at all, must condemn him, and his Witnesses, as Slanderers, and Lyars.” By this Mr. *Tremlett* accounts for the Zeal with which these *Witnesses* have espoused the Cause of Mr. *Pitfield*; for by giving Evidence in his Favour, they support their own Veracity. But what Credit ought to be paid to such Witnesses, who, while they are endeavouring to justify Mr. *Pitfield*’s Conduct, are really pleading their own Cause, and, if what Mr. *Tremlett* says is true, are labouring to preserve themselves from being condemned as Slanderers, and Lyars? Thus does Mr. *Tremlett* make Dr. *Andrew* some Amends for his Scurility and Abuse, by endeavouring to destroy all the Credit of the Evidence that those Witnesses may be induced to give in Favour of Mr. *Pitfield*.

By

† Which Mr. *Tremlett* affirms in his Letter to Archdeacon *Sleech*. p. 26.

By this Mr. *Tremlett* appears as an *Advocate*. Let us take a View of him in another Light ; that is, as a *Judge* ; and in that his Conduct is very blameable, for by the above Declaration he tells the Witnesses, that unless they give Evidence, on which Mr. *Pitfield* must be *acquitted*, that they will be *condemned* themselves. But why must the Credit of all the Witnesses be thus closely connected with Mr. *Pitfield's*? One of those Gentlemen, indeed, said he thought Mr. *Pitfield* an honest Man, and such might be his Sentiments two Years ago ; at that Time he did not know that Mr. *Pitfield* was capable of denying that he knew any Thing of a Set of Articles that he confessed afterwards he had dictated entirely himself ; nor of his borrowing an original Paper, which he still keeps contrary to his solemn Promise ; nor of compelling his Servant to set his Hand to a Certificate that Mr. *Pitfield* knew to be false. For these Reasons, it is apprehended, if this Gentleman should pay a proper Regard to Truth, and Justice, by giving Evidence against Mr. *Pitfield*, that no one, except Mr. *Tremlett*, will condemn him for it, as a Slanderer and Lyar.

January 29, 1763.

F I N I S.



POSTSCRIPT.

February 19, 1763.

SOME anonymous Authors having affirmed lately, from a partial State of the Dispute, that *Chapple* turns out an honest Man, I have taken the Pains to peruse his voluminous Pamphlet * a second Time.

Chapple says, † “ I informed the Doctor “ I believed the Valuation of the same Estate, “ made above two Years ago, was at *Pow-* “ *derham.*” That is false, Mr. *Chapple*:— You told me the Valuation was in *Exeter*, and I can make it appear under your own Hand, that you searched for it there before you made the Calculation.

Chapple has the following Words, ‡ “ Dr. “ *Andrew* said he had himself made the best “ Enquiry he could, from the Under-Te- “ nant, and otherwise, and having then pro- “ duced a Paper of Memorandums about it, “ which he said was the Result of his En- “ quiry,

* *N. B.* This Pamphlet contains 81 Pages in Quarto, besides a long Preface.

† Calumny confuted, p. 3.

‡ Ibid. p. 3, 4.

“ quiry, he desired, that as I could not soon
 “ consult my own Papers at *Powderham*, I
 “ would in the mean Time, for his Satisfac-
 “ tion, make a Valuation on a Supposition of
 “ the Truth of the Facts of the yearly Rents,
 “ Outgoings, and Herriot, therein mention-
 “ ed, from whence he might judge what
 “ Allowances to make in Case any of the
 “ Facts should appear to be mistaken.”

This is a very material Paragraph, and calls
 for my particular Notice,—In the first Place,
 it proves a Diffidence of my own Materials,
 consequently I did not produce this Paper as
 an exact Representation.—2dly, *Chapple* says,
 “ I desired him to make his Calculation on
 “ the Paper then delivered to him:” But in
 that Paper I say the Rent of the House and
 Gardens amounted to 11*l.* a Year. Mr.
Chapple represents it to be only 7*l.* 6*s.* 8*d.*
 —I mention only one Herriot, for I knew of
 but one, as Mr. *Pitfield* said there was no
 more. Mr. *Chapple* says, there were two,
 and calculates the Value of two. — *Chapple*
 says, in his Calculation, the Estate contained
 34 Acres: In my Paper is no such Expres-
 sion. If *Chapple* did not know that he had
 been applied to as an *Arbitrator*, his Liberties
 were wholly unjustifiable, and such as no
 Calculator (that was not an Arbitrator) would
 have taken; for if he had been desired to
 make the Calculation for my Satisfaction
 only, surely he would not have altered, nor
 added.

added to, the Articles, much less would he have subjoined a Cautionary Note, lest, as he says, any one might be deceived or prejudiced by the Calculation. — 3dly, Mind these Words, “ from whence he (the Doctor) might judge what Allowances to make, in Case any of the *Facts* should appear to be mistaken.” This being true, Mr. *Tremlett* is called upon to say, whether he really thinks I intended to avail myself of any Mistakes, which he has frequently affirmed, not only without Proof, but contrary to Truth, and his own Knowledge; for Mr. *J*— himself declared to this very Mr. *Tremlett*, that “ Dr. *Andrew* said, if there were any Mistakes, it was not too late to rectify them.”

Chapple says, * “ if he had found the Valuation he made in 1757, and made other Enquiries, he should have valued the Estate in about 550*l.* and that it might yield 600*l.* in a Survey.” The Falshood of this Mr. *Chapple* proves himself, for in 1757, on a Supposition of there being three Lives on the Estate, he estimated the Value only at 600*l.* as I can prove under his own Hand; and, in the 8th Page of his Book, he says, “ the Loss of one Life out of three seldom reduces the Value more than one *sixth* of the whole.” By this it appears, that if *Chapple* had known that there had been only

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two

* Calumny confuted, p. 18.

two Lives on the Estate (which was really the Case) when he first estimated the Value of it, he should have reckoned it to be worth only 500*l.* Is it not amazing that he should have the Confidence to say, that “ if he had found “ his first Valuation, he should have estimated the Value at 550*l.* or perhaps 600*l.*?” If *Chapple* was really in Earnest in saying, that the Estate was worth 550*l.* and might yield 600*l.* in a Survey, then his Opinion must be, that when Mr. *Pitfield* and his Sister were more than 5 Years older, their Lives were of 50*l.* if not 100*l.* more Value. Every one that considers what is here proved, must believe, that this Man has accustomed himself so much to Enigmas, † that he has quite discarded plain Truth. — This is the candid, consistent, clear-headed Calculator, that Mr. *Tremlett* represents as infallible.

From the above short State, tho’ I think every attentive Reader will be convinced of the Falshood of Mr. *Tremlett*’s principal Facts, and the Iniquity of Mr. *Pitfield*’s Charge, yet I cannot help adding the Opinion of two Gentlemen of Honour and Veracity, who have carefully considered the Nature of the Dispute.

Mr. *Sleech* has proved, that not one of the Facts (which are the Gît of this Cause) is fairly represented by Mr. *Tremlett*; and Mr. *Sleech*

† For which see the Ladies Diaries *passim*.

Sleech having himself given a Summary View of the *real* Facts, joins Issue with Mr. *Tremlett* thus: "*With a clear Idea of the Facts, let a Man put to himself this Question, how he would act in this Case?* and as he certainly will find *no Objection to arise in his Mind against acting the same Part* the Doctor did, his Conclusion will—*must* be, That the Means which Dr. *Andrew* used to obtain Mr. *Pitfield's* Estate, were F A I R and H O N E S T."

Mr. *Shapleigh* concludes his Observations on the Proceedings at the Reference, in the following Words:

"As it is now expected, that I should give my Opinion fairly on this grand and important Dispute, I must declare, that I think myself in Honour and Conscience bound to let the Parties know, that I am clearly of Opinion, the Doctor in his Treaty with Mr. *Pitfield* for this Estate, did not attempt, or endeavour to cheat, or defraud Mr. *Pitfield*; and consequently, that Mr. *Pitfield's* Charge against the Doctor is untrue, unwarrantable, and disingenuous."

It seems proper here to add the following Epigram, which was published by a Friend to Truth, in each of the *Exeter* News Papers.

Audi alteram partem.

LITTLE ORATOR M * * * *,
With Friends Half a Score,
Their Learning together did club,

And

And without *Fee*, or *Hire*,
 Commission'd their *Squire*,
D—— T——, the Doctor to drub.

Then a Pamphlet came out,
 Which made a vast Rout,
 And at first did the Doctor distress;
 But when stript from Disguise,
 One Half appear'd *Lies*,
 And t'other *Chicane*, and *Finesse*.

“ The Doctor,” quoth *D——*,
 “ Hath play'd a bad Trick,
 “ He Articles *Nine* did INVENT,
 “ Of which Number, *Eight*
 “ I detected not Right;
 “ So to *Cheat* was his latent Intent.”

But maugre *D——*'s Toil,
 The *Lie* doth recoil,
 And this fly *conscientious* Dissenter,
 Without the least Doubt,
 Hath been fairly made out,
 Of the *Falshood* HIMSELF the INVENTER.

